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I hereby certify that the correspondence to which this certificate is affixed, including each document referred to therein as being enclosed or submitted therewith, is being deposited with the United States Postal Service with sufficient postage as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

By: Lewis J. Kreisler  
Lewis J. Kreisler  
Reg. No. 38522

Date: 2/4/04

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|              |                                |                 |           |
|--------------|--------------------------------|-----------------|-----------|
| Inventor(s): | Atkins, et al.                 | Atty. Ref.:     | 18013-C1  |
| Appl. No.:   | 10/717,101                     | Group Art Unit: | 1648      |
| Filed:       | November 19, 2003              | Examiner:       | Bao Q. Li |
| For:         | PURGING OF CELLS USING VIRUSES |                 |           |

\* \* \* \* \*

February 4, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

**INFORMATION DISCLOSURE STATEMENT**

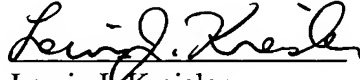
Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Examiner is directed to the documents listed on the enclosed Form PTO-1449. Copies of the listed documents are in the parent application serial number 09/888,626 and are therefore not being submitted with this Information Disclosure Statement.

This Communication is being filed within three months of the filing date or before the mailing of a first Office Action on the merits. Consideration of this Statement is respectfully requested.

Inventor(s): Atkins, et al.  
Application No.: 10/717,101  
Page 2

It is believed that no fee is required in connection with the filing of this Statement. If any fee is required, the Commissioner is hereby authorized to charge the amount of such fee to Deposit Account No. 50-1677.

Respectfully submitted,



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FEB 05 2004

PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(use as many sheets as necessary)*

Sheet | 1

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of 2

2

**Complete if Known**

|                    |            |
|--------------------|------------|
| Application Number | 10/717,101 |
|--------------------|------------|

|                    |                   |
|--------------------|-------------------|
| <b>Filing Date</b> | November 19, 2003 |
|--------------------|-------------------|

|                      |                  |
|----------------------|------------------|
| First Named Inventor | Harold L. Atkins |
|----------------------|------------------|

|          |      |
|----------|------|
| Art Unit | 1648 |
|----------|------|

|               |           |
|---------------|-----------|
| Examiner Name | Bao Q. LI |
|---------------|-----------|

Attorney Docket Number 18013-C1

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

| Examiner Initials <sup>2</sup> | Cite No. <sup>1</sup> | Foreign Patent Document   | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T |
|--------------------------------|-----------------------|---|------------------|---|---|---|
|                                |                       | Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known) | MM-DD-YYYY       |   |   |   |
|                                |                       | WO 99/18799   | 04-22-1999       | Roberts, et al.                                 |   |   |
|                                |                       | WO 94/25627   | 11-10-1994       | Lorence, et al.                                 |   |   |
|                                |                       | WO 01/19380   | 03-22-2001       | Bell, et al.                                    |   |   |
|                                |                       | WO 00/62735   | 10-26-2000       | Roberts, et al.                                 |   |   |
|                                |                       |   |                  |   |   |   |
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|                                |                       |   |                  |   |   |   |
|                                |                       |   |                  |   |   |   |

Examiner  
Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08B (10-01)

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|---|---|--------------------------|-------------------|------------------------|----------|
| Substitute for form 1449B/PTO   |   | <b>Complete if Known</b> |                   |                        |          |
|   |   | Application Number       | 10/717,101        |                        |          |
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) |   | Filing Date              | November 19, 2003 |                        |          |
|   |   | First Named Inventor     | Harold L. Atkins  |                        |          |
|   |   | Group Art Unit           | 1648              |                        |          |
|   |   | Examiner Name            | Bao Q. LI         |                        |          |
| Sheet   | 2 | of                       | 2                 | Attorney Docket Number | 18013-C1 |

| NON PATENT PUBLICATIONS |                          |  |                |
|-------------------------|--------------------------|--|----------------|
| Examiner<br>Initials    | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T <sup>2</sup> |
|                         |                          | Belch, et al., "Novel therapeutic strategies in multiple myeloma (MM): Use of shiga-like toxin (SLT) or reovirus to purge myeloma cells", Blood, Vol. 92, No. 10 suppl. 1 Part 1-2, pages 104A-105A, November 1998.  |                |
|                         |                          | Seth, et al., "Adenovirus-mediated Gene Transfer to Human Breast Tumor Cells: An Approach for Cancer Gene Therapy and Bone Marrow Purging", Cancer Research, Vol. 56, No. 6, pages 1346-1351, March 15, 1996.  |                |
|                         |                          | Wu, et al., "Bone Marrow Purging of Neuroblastoma by Attenuated Multimutated Herpes Simplex Virus", Proceedings of the American Association for Cancer Research Annual, Vol. 39, page 605, March 1998. (Abstract #4113)  |                |
|                         |                          | Lichty, et al., "Identification of vesicular stomatitis virus as a leukemolytic agent", Blood, Vol. 96, No. 11 Part 2, page 213b, November 2000.   |                |
|                         |                          | Stojdl, et al., "Exploiting tumor-specific defects in the interferon pathway with a previously unknown oncolytic virus", Nature Medicine, Vol. 6, No. 7, pages 821-825, July 2000.   |                |
|                         |                          | Bell, et al., U.S. Serial No. 09/664,444, "Oncolytic Virus," (filed September 18, 2001)  |                |
|                         |                          | Sinkovics, et al., J. Clin. Virol. Vol. 16, pages 1-15, 2000.  |                |
|                         |                          | Baton, et al., Proc. Soc. Exp. iol. Med. Vol 132, pages 20-26, 1969.   |                |
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|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
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